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S/1994/1227
30 October 1994

ORIGINAL: ENGLISH

LETTER DATED 28 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF AFGHANISTAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to submit the text of the statement of the Ministry of Foreign Affairs of the Islamic State of Afghanistan, dated 27 October 1994, regarding the activities of the United Nations special mission to Afghanistan.

I would appreciate if arrangements could be made for its distribution as a document of the Security Council.

(Signed) A. G. Ravan FARHADI
Ambassador
Permanent Representative

Annex

Statement dated 27 October 1994 issued by the Minister for Foreign Affairs of Afghanistan

From the early days of its establishment, the Islamic State of Afghanistan has been striving to find a peaceful and permanent settlement to the destructive war that has caused enormous sufferings to the Afghan people and to the country. The Islamic State of Afghanistan has been trying to find a lasting settlement that would ensure peace and stability and create the necessary conditions conducive to the reconstruction of our war-stricken country. To this end, many peace proposals have been submitted by different patriotic Afghans as well as by peace-loving circles, all deserving careful consideration.

The Islamic State of Afghanistan also appreciates the efforts of peace-loving countries who would like to see an understanding and rapprochement emerging in our country as well as the continued endeavours of the United Nations Special Mission, headed by H.E. Ambassador Mahmoud Mestiri in order to put an end to the conflict in Afghanistan and to restore peace and security.

The Islamic State of Afghanistan, while appreciating the efforts of the United Nations, declares its readiness to extend every possible assistance and cooperation to the United Nations Peace Programme which is directed towards the convening of a Loya Jirga (Grand National Assembly) which is in total similarity with the outcome of the Supreme Islamic Council recently held in Herat.

It is the expectation of the Islamic State of Afghanistan that the United Nations curtail the foreign interferences in the internal affairs of Afghanistan of which the present crisis is a consequence.

Afghanistan requests the United Nations and the head of its Special Mission to Afghanistan, H.E. Ambassador Mestiri, to expedite and further strengthen their endeavours towards ending the conflict, creating lasting peace and ensuring stability and reconstruction in the country. To this end, the Islamic State of Afghanistan is looking forward to receiving H.E. Ambassador Mestiri, as he promised, in Kabul, and in the light of the common views happily existing between him and the Islamic State of Afghanistan, to coordinate the preparation of a final peace plan.

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S/1994/1228
30 October 1994
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ORIGINAL: ARABIC

LETTER DATED 28 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance and cause provocation continued over the period 11 to 20 October 1994.

11 October 1994

(a) Northern region: 17 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Dohuk, Tall Afar, Amadiyah and Ayn Zalah.

(b) Southern region: 64 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Samawah, Salman, Shatrah, Rumaythah, Khidr, Ushbayjah, Chabaish, Qurnah, Busayyah and Artawi.

12 October 1994

Southern region: 68 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Samawah, Basra, Qurnah, Artawi, Chabaish, Salman and Shatrah.

13 October 1994

(a) Northern region: 13 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 70 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Artawi, Qurnah, Ushbayjah and Busayyah.

At 1320 hours on 13 October 1994, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres penetrated Iraqi airspace in the area to the south of Najaf. It left at 1427 hours in the direction of Saudi Arabia.

14 October 1994

(a) Northern region: 14 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Amadiyah and Tall Afar.

(b) Southern region: 87 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Amarah, Samawah, Khidr, Salman, the area to the south of Najaf, Jalibah and Lasaf.

15 October 1994

Southern region: 88 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Salman, Qurnah, Busayyah, Chabaish and Jalibah.

At 1124 and 1945 hours on 15 October 1994, United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres penetrated Iraqi airspace over Nasiriyah, Artawi, Amarah, Qal'at Salih, Basra, Qurnah, Chabaish, Ushbayjah and Umm Qasr. They left in the direction of Kuwait at 1355 and 2110 hours respectively.

16 October 1994

(a) Northern region: 13 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Amadiyah, Dohuk, Zakho, Ayn Zalah, Mosul and Irbil.

(b) Southern region: 75 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Artawi, Basra, Qurnah, Qal'at Salih, Amarah and Busayyah.

At 0921 hours on 16 October 1994, a reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres penetrated Iraqi airspace in the Artawi area. It left at 1103 hours in the direction of Kuwait.

17 October 1994

Southern region: 81 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Qurnah, Samawah, Artawi, Busayyah, Jalibah, Shanafiyah and Ushbayjah.

At 0930, 1902 and 2219 hours on 17 October 1994, United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres penetrated Iraqi airspace over Nasiriyah, Samawah, Basra, Shatrah, the area to the south of Diwaniyah, the area to the south of Najaf, Umm Qasr, Ushbayjah, Lasaf and Artawi. They left in the direction of Kuwait at 1230, 2015 and 2310 hours respectively.

18 October 1994

(a) Northern region: 13 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Dohuk, Irbil, Zakho and Amadiyah.

(b) Southern region: 97 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Samawah, Basra, Qurnah, Amarah, Salman and Artawi.

At 1158 hours on 18 October 1994, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres penetrated Iraqi airspace over Amarah, Basra, Nasiriyah, Samawah, the area to the south of Diwaniyah, the area to the south of Najaf, Jalibah and Artawi. It left at 1427 hours in the direction of Kuwait.

19 October 1994

(a) Northern region: 13 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Ayn Zalah and Amadiyah.

(b) Southern region: 90 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qurnah, Artawi, Jalibah, Qal'at Salih and Chabaish.

At 0916 and 1915 hours on 19 October 1994, United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres penetrated Iraqi airspace over Qurnah, Shatrah, Khidr, Jalibah, Artawi, Chabaish and Shanafiyah. They left in the direction of Kuwait at 1201 and 2000 hours respectively.

20 October 1994

(a) Northern region: 10 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Zakho, Dohuk, Amadiyah, Aqrah, Tall Afar and Ayn Zalah.

(b) Southern region: 90 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qurnah, Khidr, Qal'at Salih, Chabaish, Shatrah, Jalibah and Artawi.

At 1810 hours on 20 October 1994, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres penetrated Iraqi airspace over Chabaish, Qal'at Sukkar, the area to the south of Diwaniyah, Shanafiyah, Samawah, Jalibah and Artawi. It left at 1904 hours in the direction of Kuwait.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Security Council

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GENERAL

S/1994/1229
29 October 1994

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON HIS MISSION OF GOOD OFFICES IN CYPRUS

1. The present report covers developments in my mission of good offices in Cyprus since my last report on 30 May 1994 (S/1994/629) and my letter to the President of the Security Council of 28 June 1994 (S/1994/785).

2. In resolution 939 (1994) adopted on 29 July 1994, the Security Council requested me to "begin consultations with the members of the Council, with the Guarantor Powers, and with the two leaders in Cyprus with a view to undertaking a fundamental and far-reaching reflection on ways of approaching the Cyprus problem in a manner that will yield results." The Council reiterated its call to the parties to demonstrate their commitment by cooperating fully to this end. In this context, the Council also urged the parties to cooperate fully with me and my Special Representative to achieve agreement on the modalities for implementing the confidence-building measures at the earliest possible time. In paragraph 5, the Council requested me to submit a report by the end of October 1994 following the consultations referred to above and on progress made towards the implementation of the confidence-building measures.

3. On 18 August 1994, in pursuance of the Council's requests, I wrote to the members of the Security Council and the Guarantor Powers, seeking their views on matters covered by resolution 939 (1994). I also wrote to the leaders of the two communities in Cyprus, informing them of this and indicating that I had requested Mr. Joe Clark, my Special Representative, to travel to the region in early September for consultations with the parties and the Guarantor Powers.

4. During the following weeks, I received responses from most of the members of the Security Council and all the Guarantor Powers. The responses indicated continuing support for my mission of good offices, but for the most part reaffirmed the positions taken in resolution 939 (1994).

5. In September 1994, Mr. Clark travelled to the United Kingdom of Great Britain and Northern Ireland, Greece, Cyprus and Turkey for consultations with the Guarantor Powers and the parties. The Guarantor Powers and the Cypriot leaders explained their latest positions in some detail. In addition, the leader of the Greek Cypriot community wrote me a long letter on 7 September, setting out detailed positions and proposals in a number of areas. During his visits in the region and after his return, Mr. Clark reported to me that matters

were close to an impasse both on the substance of the Cyprus problem and on the confidence-building measures.

6. With a view to leaving no stone unturned before reporting to the Security Council at the end of October, I wrote to both leaders on 10 October 1994, informing them that I had requested my Deputy Special Representative, Mr. Gustave Feissel, to invite them to join him for a number of informal consultations at his residence with a view to exploring in a concrete manner ways in which progress might be made both in respect of the implementation of the confidence-building measures and in the long-contemplated overall settlement of the Cyprus problem. Both leaders accepted this invitation. The first informal meeting of the two leaders at Mr. Feissel's residence took place on 18 October. Further meetings were held on 21, 25 and 27 October.

OBSERVATIONS

7. In view of the fact that these consultations have begun and that my review of the situation thus remains in progress, I do not consider that it would be appropriate at the present time to attempt to submit a definitive report on efforts to make progress on the substance of the Cyprus question and on the implementation of the confidence-building measures. The Council's request for a fundamental and far-reaching reflection requires discussion and analysis of a number of developments that have occurred in recent months. My representatives will accordingly continue their consultations with the parties and others. I shall keep the Council informed as necessary and intend to submit a definitive report in the light of the continuing consultations.

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S/1994/1230
31 October 1994

ORIGINAL: ENGLISH

LETTER DATED 31 OCTOBER 1994 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF UGANDA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to express the concern and reservations of the Government of Uganda over the language of the draft resolution establishing an international tribunal for the purpose of prosecuting persons responsible for serious violations of international humanitarian law committed on the territory of Rwanda and by Rwandan citizens in the neighbouring States.

In particular, the Government of Uganda objects to the language in article 1, entitled "Competence of the International Tribunal for Rwanda", article 7 entitled "Territorial and temporal jurisdiction", article 8 entitled "Concurrent jurisdiction", and article 9, paragraph 2, of the draft statute.

While the Government of Uganda supports the establishment of a tribunal to prosecute persons responsible for serious violations of international humanitarian law committed in Rwanda, at the request of the Rwandese Government, the Ugandan Government considers that its judicial system has primary and supreme jurisdiction and competence over any crimes committed on Ugandan territory by its citizens or non-citizens, at any particular time.

The Ugandan Government would agree to language in the relevant articles that limits the jurisdiction and competence of the proposed tribunal to Rwandese territory and the territory of those member States which expressly declare acceptance of such jurisdiction.

The Government of Uganda will continue to support the efforts of the international community in ensuring that those who commit genocide and serious crimes against international law are brought to justice from wherever they may be hiding. However, the Government will refer its views on the surrender of its jurisdiction of such crimes to an international criminal tribunal/court to the ongoing debate on the establishment of such a body in the Sixth Committee of the General Assembly.

I should be grateful if you would kindly circulate this letter as a document of the Security Council.

(Signed) Odyek AGONA
Chargé d'affaires a.i.

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S/1994/1231
31 October 1994

ORIGINAL: ENGLISH

LETTER DATED 27 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF EGYPT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to the letter dated 15 September 1994 from the Permanent Representatives of Argentina and New Zealand to the United Nations addressed to the President of the Security Council concerning improvements in procedures for consultations among troop-contributing countries, the Security Council and the Secretary-General (S/1994/1063), I am instructed by my Government to inform you, in your capacity as President of the Security Council, that Egypt is joining other countries in the call for increased and more institutionalized procedures for such consultations.

At any given time, the overwhelming majority of United Nations peace-keeping forces and observers are coming from States that are not members of the Council. These forces and observers are being mandated by the Security Council to perform in a dangerous environment. Troop-contributing countries should therefore be consulted before decisions affecting the lives and safety of their nationals are taken by the Security Council. The Council should apply the spirit of Article 44 of the Charter of the United Nations, which reads:

> "When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces".

The modalities for consultations with troop-contributing countries on peace-keeping operations should be agreed upon with the Security Council. Such consultation would not infringe on the Security Council's prerogative under the Charter. Rather, the Council may consider such consultations, establishing a subsidiary organ for that purpose, as stipulated by Article 29 of the Charter.

I would be grateful if you could have this letter circulated as a document of the Security Council.

(Signed) Mr. Nabil ELARABY
Permanent Representative

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Security Council

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GENERAL

S/1994/1232
1 November 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 30 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the Kuwaitis are continuing to violate the cease-fire provisions and the instruction concerning the demilitarized zone.

On 25 October 1994, a Kuwaiti Police patrol fired at the Iraqi Rahil guard post, injuring the commander of the post, Sergeant Major Khalid Muhammad Ali, who received a bullet in his right leg.

The initial investigation showed that a four-man Kuwaiti patrol had infiltrated 500 metres into Iraqi territory, fired at the personnel of the guard post and injured the above-mentioned Sergeant Major.

This grave assault by the Kuwaiti authorities not only exposes the falsehood of the Kuwaiti authorities' claims of concern for the stability of the region but also constitutes a deliberate escalation of tension and the use of this to justify aggressive measures against Iraq.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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GENERAL

S/1994/1233
1 November 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 31 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 31 October 1994 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the United States statement that, on Tuesday, 1 November 1994, it will carry out aerial military manoeuvres involving violations of Iraqi airspace over southern Iraq (together with an English translation of the letter).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 31 October 1994 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

I wish to inform you of the statement issued by the Embassy of the United States of America in Kuwait on Sunday, 30 October 1994, in which it was pointed out that more than one hundred United States warplanes, including B-52 and B-1 bombers, will participate in military manoeuvres to be conducted on Tuesday, 1 November 1994, over the Kuwaiti desert and will violate Iraqi airspace over what they call the "no-fly zone" imposed on southern Iraq.

This military action on the part of the United States is a unilateral provocative action which constitutes a threat to the security and integrity of Iraq.

The imposition of the "no-fly zone" over southern Iraq was and remains a unilateral and illegitimate United States/United Kingdom action which is in no way related to the resolutions of the Security Council. The United Nations has confirmed this fact through what has been said by the United Nations Secretary-General, Dr. Boutros Boutros-Ghali, as well as in statements made by United Nations official spokesman Joe Sills.

Contrary to the calm atmosphere prevailing and the focusing of attention on the search for diplomatic solutions, this provocative military action by the United States reaffirms the hostile intentions of the American administration and further demonstrates its incessant endeavour to fuel tension and create crises in the Gulf area, with a view to serving its design of imposing the aggressive military hegemony of the United States over the region.

Iraq protests most strongly this provocative and dangerous military action by the United States, which is directed against the safety, security and stability of Iraq and against security and peace in the region. Iraq holds the Government of the United States of America responsible for these provocative and aggressive actions on its part. Iraq also holds the rulers of Kuwait fully responsible for having turned the land and airspace of Kuwait into a base for the United States armed forces and United States warplanes to threaten the security and safety of Iraq and its people and jeopardize the security, peace and stability of the region as a whole.

I hope that you will bring this letter to the attention of the members of the Security Council, and I request that it be distributed as an official document of the Security Council.

Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq